

Categorical Funding for New Schools

SEC X. Section 42606 of the Education Code is amended to read:

42606. (a) A local educational agency, including a direct-funded charter school, may apply for any state categorical program funding included in the annual Budget Act on behalf of a school that begins operation in the 2008-09 to the 2012-13 fiscal years, inclusive, but only to the extent the school or local educational agency is eligible for funding and meets the provisions of the program that were in effect as of January 1, 2009, except that charter schools shall not apply for any of the programs contained in Section 47634.4.

(b) A local educational agency that establishes a new school by redirecting enrollment from its existing schools to the new school shall not be eligible to receive funding in addition to the amounts allocated pursuant to Section 42605 for the categorical programs specified in that section or for the class size reduction program pursuant to Sections 52122 and 52124.

(c) The Superintendent shall report the number of new schools and the programs that these schools are applying for, including an estimate of the cost for that year. This information shall be reported by November 11, 2009, and each fiscal year thereafter, to the appropriate committees of the Legislature, the Legislative Analyst's Office, and the Department of Finance.

(d) Notwithstanding subdivision (a), for the 2010-11 and 2011-12 fiscal years, the Superintendent shall allocate a supplemental categorical block grant to a charter school that began operation in the 2008-09, 2009-10, 2010-11, or 2011-12 fiscal year. The supplemental categorical block grant shall equal one hundred twenty-seven dollars (\$127) per unit of charter school average daily attendance as determined at the 2010-11 second principal apportionment for schools commencing operations in 2008-09, 2009-10 and 2010-11 and at the 2011-12 second principal apportionment for schools commencing operations in 2011-12. These supplemental categorical block grant funds may be used for any educational purpose. A locally-funded charter school that converted from a preexisting school between the 2008-09 and 2010-11 fiscal years is not eligible for funding specified in this section. Commencing with the 2011-12 fiscal year, a school district shall provide \$127 per pupil to new conversion charter schools within the district that commenced operations from 2008-09 through 2011-12, in lieu of this supplemental grant. This paragraph does not preclude a conversion charter school and school district from agreeing to an alternative funding formula for providing new conversion schools with supplemental categorical funding. A charter school that receives funding pursuant to this subdivision shall not receive additional funding for programs specified in paragraph (2) of subdivision (a) of Section 42605, with the exception of the program funded pursuant to Item 6110-211-0001 of Section 2.00 of the annual Budget Act.